

SENATE BILL REPORT

SB 5417

As Reported By Senate Committee On:
Health & Long-Term Care, February 5, 2007

Title: An act relating to temporary management in boarding homes.

Brief Description: Providing for temporary management in boarding homes.

Sponsors: Senators Keiser, Brandland, Franklin and Pflug.

Brief History:

Committee Activity: Health & Long-Term Care: 1/29/07, 2/5/07 [DP-WM].
Ways & Means: 2/20/07.

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Parlette.

Staff: Rhoda Donkin (786-7465)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Chelsea Buchanan (786-7446)

Background: There are 551 licensed boarding homes in the state with 26,630 licensed beds. Many of the people living in these facilities are elderly or disabled and reside in assisted living or group homes. The Department of Social and Health Services (DSHS) regulates these facilities to ensure that they meet health, safety, and service standards required by law and by contract.

If during routine inspections, or as a result of complaints, DSHS finds conditions in a facility hazardous or imminently jeopardizing the safety of residents, it can issue a summary suspension of the boarding home license. The immediate effect of this would be to relocate residents. This can be traumatic to frail and disabled people who call the facility home. There is interest in having options to summarily moving residents following a license suspension.

Summary of Bill: If DSHS determines that the health, safety, or welfare of residents is in immediate jeopardy, the department may appoint a temporary manager for the boarding home to immediately implement safe and appropriate care and services.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

DSHS may not appoint a temporary manager who is affiliated with the boarding home. Other conditions for appointment are described. Once a temporary manager is assigned, the licensee must immediately turn over all operations of the facility to the appointee. The cost associated with the temporary management may be paid for through boarding home fines. Duties and responsibilities of temporary managers are described. DSHS must terminate temporary management after 60 days unless good cause is shown for continuing it.

The Boarding Home Temporary Management Account is created in the State Treasury. All receipts from civil penalties imposed on boarding homes must be deposited into the account. Expenditures may be used only for the protection of the health, safety, welfare, or property of residents of boarding homes found to be deficient.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Health & Long-Term Care): PRO: Many times residents have to move in three or so days when a summary suspension has been issued. This is very traumatic. Providing temporary management is a tool the department can use to stabilize the situation and protect residents.

OTHER: There is no funding in the Governor's budget for this.

Persons Testifying (Health & Long-Term Care): PRO: Louise Ryan, Long Term Care Ombudsman Program.

OTHER: Joyce Stockwell, DSHS.

Staff Summary of Public Testimony (Ways & Means): PRO: This bill will help the resident by being less disruptive. It will avoid expensive emergency moving costs for the resident and the state. Temporary management programs currently exist for nursing homes and adult family homes. Boarding homes, such as assisted living, need it too. DSHS does not have to appoint a temporary manager, it is optional, and would only be done if the home could be kept open safely.

Persons Testifying (Ways & Means): PRO: Senator Keiser, prime sponsor; Louise Ryan, Long-Term Care Ombudsman Program.